

**GENERAL RULES FOR TRIAL OF CASES  
BEFORE JUDGE GREGORY K. FRIZZELL**  
*Updated September 16, 2024*

Professionalism, courtesy, decorum, and common sense shall dictate all behavior in this Court. The parties and attorneys, including self-represented litigants, shall be held to the highest standard of professional conduct, personal and professional courtesy and deportment throughout all proceedings.

1. **Local Rules:** You are expected to be familiar with all Local Rules—including Local General Rule LGnR3-3, concerning courtroom behavior—and adhere strictly to those requirements.
2. **Hearing on Motions in Civil Cases:** If a party believes oral argument would be helpful to the Court in deciding the issues, and a hearing has not been set, the party may file a motion to set a hearing. Oral argument will be granted upon a sufficient showing of why a hearing would assist the Court in resolving the issues. An oral argument setting shall not provide an excuse for failure to fully brief the issues. The Court, in its discretion, may schedule oral argument without a request by the parties. The parties are welcome to attend oral argument.
3. **Hearing on Motions in Criminal Cases:** It is the general practice of this Court to hear pending motions during the Pretrial Conference. If one or more of the parties believe an evidentiary hearing is necessary in advance of the Pretrial Conference, they should file a motion seeking an expedited hearing.
4. **Motions *in Limine* and *Daubert* Motions:**
  - a. Motions *in Limine* and *Daubert* Motions shall be filed in accordance with the Scheduling Order and are typically addressed at the Pretrial Conference. Counsel should not wait until the last minute to seek pretrial exclusion of evidence counsel knew or should have known opposing counsel would seek to introduce. If a motion *in limine* is not timely filed, it will not be considered absent a showing of manifest injustice.
  - b. The parties are discouraged from filing a motion *in limine* requesting an order that the parties be required to follow the Federal Rules of Evidence or seeking to exclude broad, general categories of evidence. Any motion *in limine* filed should concern specific evidence.
5. **General Courtroom Protocol:**
  - a. Attorneys shall not directly address opposing counsel in open court.
  - b. Do not place on the courtroom furniture—including chairs, conference tables, or benches—any objects which might scratch or mar the surfaces. Such objects may

include, but are not limited to, briefcases with metal closures or feet, demonstrative aids, exhibits, etc.

- c. Attorneys and parties shall not bring food or beverages into the courtroom during trials. Water is provided during trials. In matters other than trials, the attorneys and parties may bring water into the courtroom, provided it is in a bottle or other lidded container. In all cases, members of the public may bring water into the courtroom, provided it is in a bottle or other lidded container. Coffee, soda, and other beverages are not permitted.

**6. Exhibits:**

- a. Counsel shall prepare separate exhibit notebooks for: (1) the witness stand; (2) opposing counsel; (3) the Court; and (4) the Court's law clerk.
- b. The Court encourages the parties to use the electronic evidence presentation system in the courtroom. Inexperienced users should contact the Courtroom Deputy to schedule a short training session in advance of trial.

**7. Motions to Continue Scheduling Order and/or Trial in a Criminal Case:**

- a. A proposed order is not required.
- b. If a motion to continue requests an extension of the trial setting, a speedy trial waiver must be filed. The Court will not rule on a motion to continue a trial setting without a correct, executed waiver on file.
- c. The waiver must be submitted on the Court's CR-06 form, which can be downloaded at this link: [Criminal Forms | Northern District of Oklahoma | United States District Court \(uscourts.gov\)](#).
- c. The waiver must specifically reference the excludable dates. For example, if the defendant is set on the September 16, 2024 trial docket and is requesting a continuance to the October 21, 2024 trial docket, the waiver shall state "Defendant specifically requests that all delays from a continuance of his/her jury trial from September 16, 2024 to October 21, 2024 be excluded from computation under the Speedy Trial Act pursuant to 18 U.S.C. § 3161, et seq."
- d. Ideally, the waiver should be filed contemporaneously with the motion to continue.
- e. If you file a motion to continue ahead of pretrial conference but are unable to file a signed waiver prior to the pretrial conference, the motion to continue will be addressed at the pretrial conference. However, defense counsel are expected to timely meet with their clients in advance of the pretrial conference, and the Court discourages the use of pretrial conference simply to obtain waivers.

- f. In a multi-defendant case, a waiver of speedy trial is required from each defendant.

**8. Pretrial Motions and Stipulations in a Criminal Case:**

- a. Pursuant to LCrR 47-2, any response shall be filed within seven days of any motion's filing.
- b. Replies are not permitted without leave of Court. If leave is granted, replies shall be limited to five pages.
- c. Motions related to probation/supervised release issues must state the position of the United States Probation Office.

**9. Changes of Plea:**

- a. When a defendant is ready to plead guilty, notify the Court's courtroom deputy at [Karen\\_Perkins@oknd.uscourts.gov](mailto:Karen_Perkins@oknd.uscourts.gov) by email.
- b. In most cases, the change of plea hearing will be referred to the change of plea duty Magistrate Judge and set on their court schedule.
- c. After the plea hearing is set, you will receive an email with additional information regarding the submission of the plea documents.
- d. Absent good cause, any superseding information must be filed at least three (3) days prior to the change of plea hearing.